

HOWNICKAN

PEOPLE OF THE FIRE



Vol. 12, No. 6

Citizen Band Potawatomi Tribe

June, 1990

Improved facilities to greet Pow Wow crowd

New bleachers, a new paved parking area and roads, better camping facilities and much more will greet the hundreds of tribal members coming to Shawnee for Potawatomi Days June 29-July 1.

Highlight of the weekend will be the 17th annual Potawatomi Pow Wow, expected to be the biggest and best ever. But much more will be offered. There's the All-Indian Golf Tournament at Fire Lake, the horseshoe pitching contest, special prices for tribal members at the Potawatomi-operated bingo hall, a

special free meal and a variety of health services.

The pow wow, expected to draw dancers from all over the nation, will get underway Friday and end Sunday. More information is available in a full-page advertisement in this issue or from Orval Kirk, P.O. Box 373, McLoud, OK. 74851, telephone (405)964-3585.

Many contestants in the recent Red Earth celebration in Oklahoma City have stayed over the pow wow, which offers \$15,000 in prize money.

At 5 p.m. Saturday, the tradi-

tional free meal will be served at the pow wow grounds. On the menu are turkey and hominy soup, beef gravy, Kickapoo hot sauce, cole slaw, fruit and, of course, fry bread.

Tribal Chaplain Norman Kiker will conduct special church services at 10 a.m. Sunday, July 1, at the pow wow grounds.

Tribal health services will be set up in the museum on Saturday to conduct a variety of free screenings for tribal members. Between 8 a.m. and 2 p.m., while voting is underway in the annual tribal election,

they will offer cholesterol screening, blood pressure readings, blood sugar testing, glaucoma screening, oxygen in the blood screening and iron level in the blood. All tribal members are invited to take advantage of these special services.

Health services staff members will also man a booth at the pow wow grounds, selling chances on two shawls they will give away and also selling some jewelry especially made for the occasion.

The fourth-annual All-Indian

Please turn to page 16



New Stands Highlight Improvement At Pow Wow Grounds



This Year, The Parking Area Has Been Paved!

Three important propositions are on this year's ballot

Tribal members will go to the polls Saturday, June 30, to vote on three important propositions.

There is no contested election for tribal offices this year. Bob Davis, who is tribal secretary-treasurer, and Linda Capps, who was appointed vice chairman when Jim Young resigned, are unopposed for election to the same posts. However, Davis, who is also tribal administrator, and Tribal Chairman John A. Barrett Jr. urged tribal members not to overlook the importance of the election.

The first proposition pertains to enrollment and removal from tribal rolls of those who cannot prove Potawatomi blood degree or who are knowingly

There is no contested election for tribal offices this year. Bob Davis, who is tribal secretary-treasurer, and Linda Capps, who was appointed vice chairman when Jim Young resigned, are unopposed for election to the same posts.

enrolled in another tribe. The proposition would also allow for penalties to be assessed to those violating those regulations and would make anyone applying for membership in the tribe subject to the jurisdiction of the tribal courts.

The second proposition is the budget for expenditure of the interest monies from set-aside funds. The Business Committee is proposing a budget of \$393,492. Of that, \$110,000 would go toward expenses incurred in remodeling the food distribution building for use by the elderly programs, the WIC program and tribal health services. Another \$86,375 would pay for equipment and personnel for maintenance of the golf course; \$58,136 would go toward compensation of employees in the Tribal Land Acquisition, Maintenance and Development area; and \$27,880 would go toward compensation of the su-

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Dedication Opens
New Elderly Center

7

Tribal Wedding
In A New Setting

3



Laura Sigwing, Miss Indian Oklahoma

Otoe-Missouria member is selected to represent Indians of Oklahoma

Laura Sigwing is the new Miss Indian Oklahoma. Laura, 20, is of the Otoe-Missouria Tribe and is the daughter of Darrell and Lorraine Sigwing. Laura's Indian name is Lake-Ouchee-Me meaning "Woman Who Wanders." She is a graduate of Red Rock High School where she was salutatorian.

She belongs to the Oklahoma and National Honor Society, Who's Who Among American High School Students. Laura is a student at Central State University, where she is a sophomore majoring in elementary education. At The Miss Indian Oklahoma Pageant, she performed The Traditional Eagle Dance and sung the Broadway musical "If My Friends Could See Me Now".

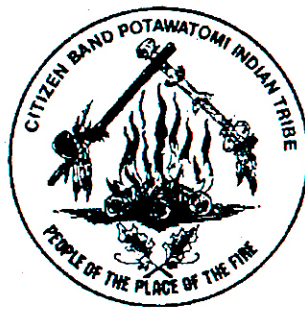
The Miss Indian Oklahoma Pageant is sponsored annually by the Oklahoma Federation of Indian Women. This year's pageant was held at The Lincoln Plaza Stars Theater with Sammy "Tonkei" White as master of ceremonies. Special guests were Michael Horse, an actor who is currently in the series Twin Peaks and Cherokee Ballard, a reporter for 5 Alive TV.

Other winners were 1st Runner Up, Carla Carey - Miss Cherokee and 2nd Runner Up, Kennetha Siemens - Otoe Tribal Princess. Other candidates were Janita Screechowl - Miss Creek Nation, Jamie Barse - Sac & Fox Tribe, Julianna Redcorn - Osage Tribe, Danelle Wilde - Pawnee Tribe, Marjorie Bighorse - Osage.

Miss Indian Oklahoma Awards presented were:

- Best Essay - Laura Sigwing
- Traditional Talent - Carla Carey
- Evening Gown - Laura Sigwing
- Modern Talent - Jamie Barse
- Miss Congeniality - Carla Carey
- Contemporary Dress - Laura Sigwing
- Scholastic Achievement - Laura Sigwing

Miss Indian Oklahoma is a representative for Indian people of the state of Oklahoma. For appearances contact Laura Sigwing, Miss Indian Oklahoma - Rt. 1 Box 83-2 Red Rock, Ok 74651 - (405) 723-4310 or OFIW President Shirley Wapskineh - 515 S.E. 45th, OKC 73129 - (405) 632-5227



POTAWATOMI MUSEUM TRADING POST

JUST IN!

Pow Wow T-Shirts

Red With White Lettering - Drum & Feather Emblem

Youth	\$7.50
Adult (S-XL)	\$8.00
Adult (XXL)	\$9.00

Ceramic Mugs

With Tribal Seal In Red, Black or Blue **\$9⁰⁰**

With Seal On Front And Name, Roll Number And/or Degree on Back **\$10⁵⁰**



Satin Jackets

Red, With Logo (Indian With Flame) On Back, Tribal Seal On Front. Snap Front, Ribbed Cuffs.

S-XL **\$42⁰⁰**
XX **\$45⁰⁰**
\$7²⁵

Baseball-Style Caps With Logo

POTAWATOMI MUSEUM TRADING POST - ORDER FORM

QUANTITY	DESCRIPTION	SIZE	PRICE	AMOUNT
VISA _____ MASTERCARD _____ Card No. _____		Postage & Handling \$1 Per item postage & handling - \$2 for jackets & mugs		Total
Expiration Date _____ Signature _____				

Ship To: _____

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

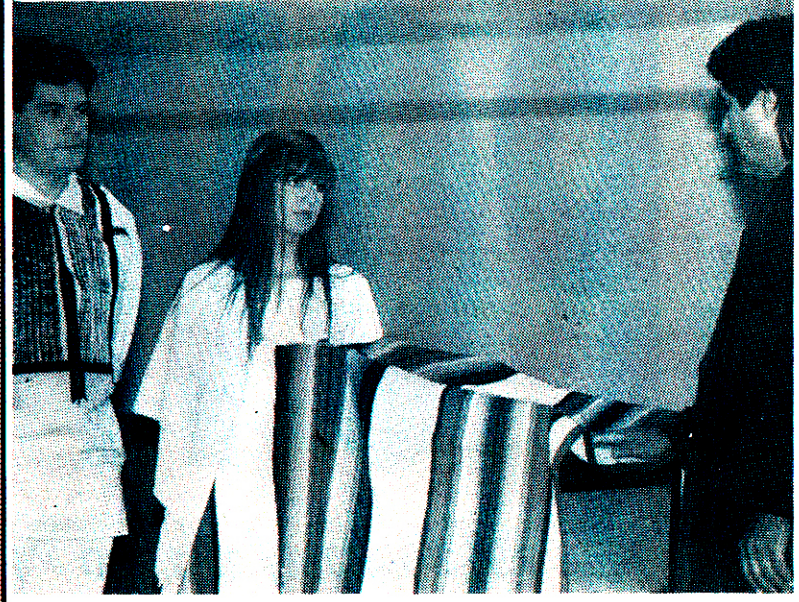
If paying by check, please include Tribal Roll Number.

Mail Order Form & Payment To:
Potawatomi Museum Trading Post
1901 Gordon Cooper Drive
Shawnee, Oklahoma 74801

Potawatomi wedding...



Bride and Groom Honor Grievance Committee Member and Museum Curator Esther Lowden, Who Made Their Wedding Outfits



Judge Lujan Performs Ceremony — It Was His First Potawatomi Wedding

A new setting for an old tradition

A traditional wedding in a modern setting combined the best of both worlds at the Citizen Band Potawatomi Tribal Headquarters June 1.

On that day, tribal member Leslie Rae Hunsicker married Jeffrey Wayne James in a ceremony conducted jointly by Tribal Chairman John A. Barrett Jr. and Judge Philip Lujan. The ceremony was held in the Long Room beginning at 3 p.m., with a reception following. It was originally planned for outdoors on the complex grounds, but a mid-afternoon storm moved the festivities inside.

Leslie, a new enrollee, is the daughter of Mr. and Mrs. Charles R. Hunsicker of Plano, Texas. Her uncle, Business Committee member Hilton Melot, and his

wife helped arrange the Potawatomi wedding. She is the granddaughter of Raymond L. Melot and Mr. and Mrs. Robert Hunsicker, all of Shawnee. The bride is a senior at the University of Texas at Dallas, majoring in social work. She hopes to eventually go to Arizona and work on a reservation.

Jeffrey, an Apache, is from Evansville, Indiana and is the son of Jerry and Donna James. He is employed by Metro Marketing in Richardson, Texas.

Leslie and Jeffrey's traditional wedding clothing was made for the occasion by tribal Grievance Committee member Esther Lowden, who also made shirts for the bride's parents. She also videotaped the ceremony. The bridal couple honored

her later at the reception.

Barrett began the ceremony by smoking the Long Room, placing the traditional feathers in the four directions and burning sweetgrass, all important tribal wedding customs. Lujan performed the actual ceremony and pronounced the couple man and wife.

Lujan said later that this was the first Potawatomi wedding he has performed, although he has officiated at a few for other tribes. He said he greatly enjoyed using his judicial powers for such a joyous purpose. The couple also honored him.

Friends and relatives enjoyed a reception following the ceremony in the Long Room.



Chairman John Barrett Burns Sweetgrass To Bless Union



Bride and Groom Watch As Bride's Mother Cuts Cake

17th Annual Citizen Band Potawatomi

POW-WOW

June 29, 30 & July 1, 1990 • Potawatomi Tribal Grounds, Shawnee

Schedule of Events

Friday, June 29

- 5:00 p.m. - Registration Opens
- 6:00 p.m. - Gourd Dance, Specials
- 8:00 p.m. - Registration Closes for Jr.'s ONLY, Grand Entry
- 9:00 p.m. - Potawatomi Tribal Special Contest

Saturday, June 30

- 2:00 p.m. - Registration Opens, Gourd Dance, Specials
- 5:00 p.m. - Supper served on grounds
- 6:30 p.m. - Registration closes, Grand Entry, Contest

Sunday, July 1

- a.m. - Church Services
- 1:00 p.m. - Gourd Dance, Specials
- 4:00 p.m. - Supper Break
- 5:00 p.m. - Grand Entry, Contest

1990 Pow-Wow Princess
Melanie Logan
Masters of Ceremonies
Orval Kirk, Kickapoo and Randy Edmonds, Kiowa
Head Singer
Leonard Cozad, Sr., Kiowa
Head Man Dancer
Joe Bointy, Kiowa
Head Lady Dancer
Nikki Owings, Wichita
Co-Host
Oklahoma Indian Nations
Arena Directors
John McClellan, Sac & Fox, James Powell

All Contestants Must Participate In Two Grand Entries
Contest Rules will be handed out during Registration
Give Aways will be during afternoon program ONLY
Jr. Contestants Must Register Prior to 8:00 p.m. Friday
Campsites and RV Hookups Available

For Pow-Wow Info:

Orval Kirk
P.O. Box 373
McLoud, OK 74851
405/964-3585

For Space Reservation:

Rt. 5, Box 151
Shawnee, OK 74801
405/275-3121

Visit Our Potawatomi Bingo Hall, Firelake Golf Course, Museum & Gift Shop and The Potawatomi Tribal Store

Tribe's cases focus of sovereignty symposium

By DAVID MCCULLOUGH
Michael Minnis & Associates
Tribal Attorneys

The success of the Citizen Band Potawatomi Indian Tribe's legal battles with the State of Oklahoma over the assessment of cigarette taxes, along with two recent Supreme Court decisions, were focal points of the third annual Sovereignty Symposium held June 6 and 7 at the Scottish Rite Temple in Guthrie.

The Tribe's success in its legal battles with Enterprise Management Consultants, Inc. after Enterprise was ousted from tribal land was also discussed.

Tenth Circuit Judge Stephanie K. Seymour, one of the panel which decided the cigarette tax case, addressed two issues decided in the cigarette tax case. First, a holding affirmed that land located within the regional Potawatomi reservation and subsequently placed in trust effectively constitutes reservation land over which Congress has intended to retain primary jurisdiction. Second, while the Supreme Court has ruled in three other cigarette tax cases that the state could compel Indian tribes to collect taxes from non-Indians, these decisions were made in states where the tribes had either consented to state jurisdiction or had been placed under state jurisdiction by federal statutes.

Oklahoma City University law professors and others addressing the cigarette tax case echoed Judge Seymour's assertion that the distinguishing factor between the Tribe's case and the other cases cited by the Court was that the Tribe has never been subjected to state jurisdiction. Appearing at the symposium to state why the Tenth Circuit erred in its decision were Oklahoma Tax Commission attorneys Joe Mark Elkouri and David Miley. In a prepared text, the state asserted it had jurisdiction over any tribal enterprise which expanded beyond dealing with tribal members, saying "that a tribe may operate free from state control within its own sphere, but outside of that sphere of internal jurisdiction, when a tribe enters the general business community, the tribal enterprise steps into the reach of state law."

Besides the cigarette tax, much of the focus of those attending the symposium was on two recent Supreme Court cases. The first case greatly reduced the scope of police powers on tribal lands while the second impacted not only on the native Americans' freedom of religion but all religions protected under the First Amendment to the United States Constitution.

Concerning police jurisdiction, the Supreme Court held that the tribal court system could only prosecute members of the tribe and

While the Supreme Court has ruled in three other cigarette tax cases that the state could compel Indian tribes to collect taxes from non-Indians, these decisions were made in states where the tribes had either consented to state jurisdiction or had been placed under state jurisdiction by federal statutes.

did not have jurisdiction to prosecute non-tribal members who commit criminal acts on tribal land. This especially impacts tribes in Oklahoma which have created housing authorities that obtain federal funds to build homes on tribal lands. Many of these homes are occupied by non-tribal members and non-Indians. Symposium speakers acknowledged that the problems were compounded because of the lack of cooperation by city and county officials who many times refused to go onto tribal land to investigate crimes committed by non-tribal members.

Tenth Circuit Judge Monroe Kay said the outcome of this case apparently hinged on the fact that tribal

courts are not bound by the due process constraints found in the United States Constitution. Specifically, tribal courts are not required, and most do not have the funds, to provide a criminal defendant with an attorney. McKay said the Supreme Court was willing to let Indians who join their particular tribe to come under the jurisdiction of the tribal courts under essentially a contract principle. All other individuals, not contracting to the tribe's jurisdiction, would then not be subject to the jurisdiction of the Court.

In the case involving the Native American church, the Supreme Court upheld the firing of two church members by a state agency

because the members used peyote, an illegal drug in that state. According to Judge McKay, the Supreme Court decision essentially means that you may speak your religion, sing your religion and assemble for your religion, but the state may control the sacraments which are a part of the religion or belief.

John Ehohawk, director of the Native American Rights Fund actively involved in the case, said that a petition for rehearing had been filed and had been joined by virtually every religious denomination in the United States. A decision on the rehearing is not expected until the fall.

In summing up the Native American church case, and reflecting upon the resistance that Native Americans are encountering in asserting their rights, Judge McKay said, "those who take comfort in the plight of the Native American are sounding their own death knell."

Other speakers at the symposium included Oklahoma Governor Henry Bellmon, Congressman Ben Knighthorse Campbell of Colorado, State Representative Kelly Haney, Oklahoma Attorney General Robert Henry, and Senator Daniel K. Inouye of Hawaii.

\$2 DISCOUNT FOR TRIBAL MEMBERS!

Just show your Tribal ID card and you will receive a \$2 Discount on any pack during Pow Wow Weekend at your Tribal Bingo Hall conveniently located on Hardesty Road near the Pow Wow Grounds. This offer applies only to card-carrying Tribal members.

This Money-Saving Special Offer Is Good

✓ **Friday**
June 29, 1990

✓ **Saturday**
June 30, 1990

✓ **Sunday**
July 1, 1990



BINGO

On Hardesty Road Between U.S. 177 and Gordon Cooper Drive • Telephone 273-2242

Tribes in Oklahoma...

Search launched to find Indians with hemophilia

Knowledge about any disease is essential in dealing with the problem of that disease. Certain diseases seem to be more common among the Native American community than others. Diabetes and high blood pressure are among these. The Oklahoma Hemophilia Foundation is concerned with another disease that may also be common in the Native American community. This disease is called hemophilia.

The Office of Maternal and Child Health, the National Hemophilia Foundation, and the Oklahoma Hemophilia Foundation are working together to locate Native Americans in Oklahoma who may have hemophilia. This network also seeks to educate the Native American community about the disorder. A basic knowledge of the hemophilia is important to every individual and every community.

A basic knowledge of the nature and effects of hemophilia is important to Native Americans for several reasons. Because hemophilia can occur in any family regardless of race, religion, or socio-economic backgrounds, Native Americans need to be aware of the possibility of this bleeding disorder existing in their community. Researchers, furthermore, speculate that hemophilia may be as common in the Native American community as in other races. Statistics suggest that one out of every three cases of hemophilia occurs in a family with no previous history of the disorder. This data would suggest that within the population of Oklahoma, members of the Native American community may experience hemophilia without a previous history. A knowledge of hemophilia, furthermore, is important to Native Americans because of its effects on the individual who has it and their family members. Here are a few facts about hemophilia.

Hemophilia is a genetic disorder that affects the blood's ability to clot. Hemophilia occurs exclusively in males due to their genetic make up. It is not contagious; one must be born with hemophilia to have it. Although it is possible for a female to have hemophilia, this phenomena is quite rare. Hemophilia does not affect the rate of bleeding, but the rate of clotting. In other words, hemophiliacs bleed normally. The process that stops their bleeding simply takes longer than the normal clotting time. At the present time there is no cure for hemophilia, but there is treatment. That long and productive life for hemophiliacs

may begin as soon as the first visit to the Oklahoma Hemophilia Treatment Center (OHTC).

OHTC is the state's only federally funded comprehensive care facility for the treatment of hemophilia and other bleeding disorders. Native Americans who may have hemophilia can benefit from the comprehensive care available through the OHTC. Comprehensive care is provided by a group of health care professionals whose main purpose is to educate, help and supervise the patient and family with all aspects of hemophilia care. These health care professionals are best known as geneticists, orthopedics, hematologists, physical therapists, psychologists, social workers, dentists, and nurses. This comprehensive care team works with each patient to help them in all areas of needs. The OHTC also works as a resource for one's local or primary care physicians. The OHTC works closely with the Hemophilia Foundations (OHF).

The OHF is one of the many chapters of the National Hemophilia Foundation. OHF is a non-profit, voluntary organization that exists to serve the needs of hemophiliacs in the state of Oklahoma. One goal of the OHF is to lead people with hemophilia to the OHTC and to provide several services sponsored by the OHF. Some of these services include, annual summer camp, support network, conferences, newsletters and benevolence.

If you would like additional information on OHF, make a referral, host a presentation on hemophilia to your organization, and/or a free brochure about hemophilia, please call Lynette Seigler collect at (405)282-7850 or write Lynette at OHF, P.O. Box 851, Guthrie, OK 73044. OHF would be glad to send you more information about hemophilia. The OHTC can be reached at 1 (800)688-5288. The call is free.

State Seminoles to establish trust with federal money

The Seminole Tribe of Oklahoma will establish a trust fund for its share of a \$50 million reparations payment for their forced removal and loss of their lands in Florida in the early 1800's, tribal leaders said.

The Oklahoma Seminoles will receive 75 percent of the total appropriation, and the remaining 25 percent will go to the Seminole Tribe of Florida, according to an agreement reached between the two bands and approved by President George Bush.

The division is based on the secretary of the interior's estimate of

the population of the two groups in 1823 at the time U.S. troops forced them to march to Oklahoma. Some of the Seminoles resisted the forced removal, hiding out in the Everglades.

The Seminole Judgment Fund was established in 1976, but Oklahoma and Florida members had been debating the percentage since then. Agreement was reached and approved by Congress and the president earlier this spring. Eighty percent of each tribe's share must be earmarked for social, education and economic programs. As much as 20 percent can be invested.

Indian portraits to be displayed on Norman campus

"The Search for the Purebloods," a series of original portraits by Oklahoma artist Charles Banks Wilson, will be on display through Sept. 1 at the Oklahoma Museum of Natural History on the University of Oklahoma's Norman campus.

The exhibit represents pureblood members of nearly half of the 62 tribes that exist in Oklahoma. For more than a decade, Wilson has striven to capture the images of these vanishing people who are fullblood Indians of only one tribal heritage.

People can view the exhibit, which toured the state in 1981 and is part of the museum's permanent collection, from 10 a.m. to 5 p.m. Tuesdays through Fridays and 2 p.m. to 5 p.m. Saturdays and Sundays. Admission is free.

Wilson, a native of Miami, has traveled across the state in search of his subjects, often drawing people where he found them — in a bar, a jail, in church, or at a kitchen table.

In some instances, Wilson has documented the last pureblood member of a tribe.

"Some tribes don't have any purebloods left. And some have only one person left," he said in an interview with Oklahoma Today magazine. "You just draw whatever's left."

Wilson's career and fascination with Indians began as a youth, when he would draw portraits of tribal members who attended powwows in the Miami area. The portraits sold well and paid his way to the Art Institute of Chicago.

Although his art was selling, Wilson said he was unhappy with his work. On a trip home, he realized what he wanted to do.

"I went to a pow-wow where a wealthy Quapaw had bought a merry-go-round for the Indian children to ride on," Wilson said in a Washington Post Magazine article.

"I began to realize that instead of

painting young bucks chasing buffalo, I should be painting those little Indian children riding on that merry-go-round. That was the Indian of the day.

"I suddenly realized that I was at the right place at the right time to record something very important," he added. "Something was happening to the American Indian that had never happened before. He was changing from the primitive free spirit into a social person. He was becoming a sophisticated member of modern America."

Wilson took work as a comic strip and book illustrator in New York, then returned to Miami in the late 1940s to found the art department of Northeastern Oklahoma A&M College. He taught at NEO for 15 years before opening his own studio.

Several articles from Wilson's downtown Miami studio will be featured in the OU exhibit, including a Navajo rug and a buffalo-horn chair. Several photos of the artist at work also will be displayed.

Wilson's best-known work is probably the "Roots of Oklahoma" murals of state history and portraits of outstanding Oklahomans, including Will Rogers, Sequoyah and Jim Thorpe, that grace the state Capitol rotunda.

The artist's works also are in the collections of the New York Metropolitan Museum of Art, the U.S. Library of Congress and the Smithsonian Institution.

Wilson's search for the purebloods began in earnest after he sought a Wichita Indian model for the "Roots of Oklahoma" murals. Wilson was surprised to find that very few pureblood members of the tribe existed, he said.

"A breed of people were disappearing, and no one was doing anything about it," Wilson said. "I began to sense what we were losing, what was passing before my eyes."

Call To Council

June 30, 1990

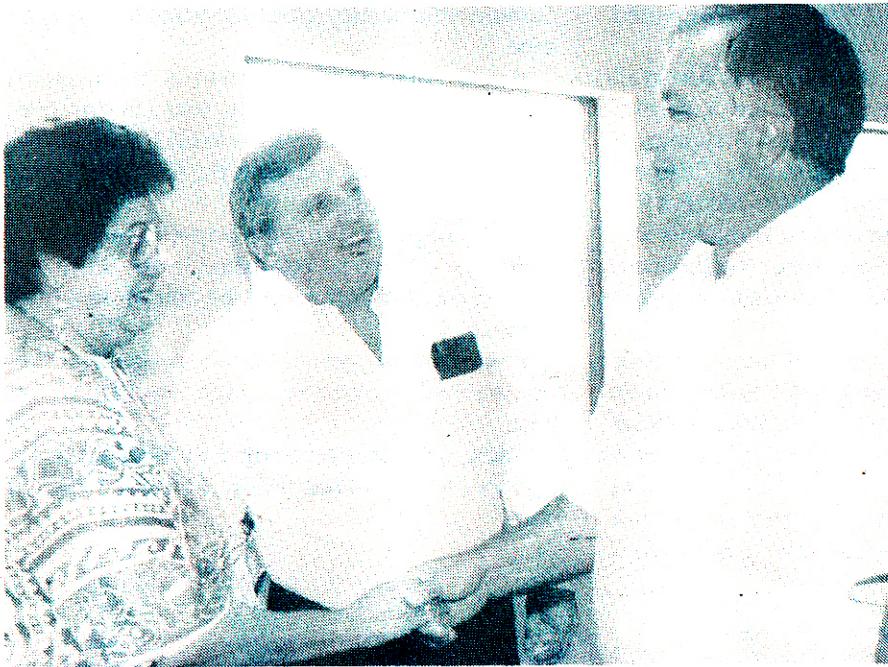
7 a.m. — Call to Order

7 a.m. - 2 p.m. — Recess
For On Site Voting

3 p.m. — Meeting Reconvened For Business

5 p.m. — Free Meal At
Pow Wow Grounds

New Tribal Elderly Nutrition Center Dedicated



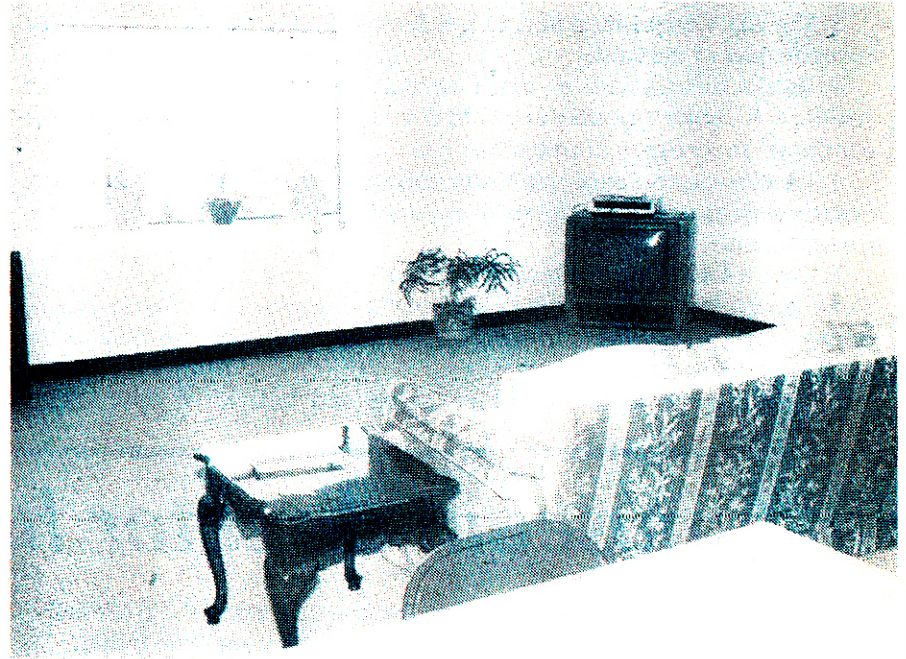
Chairman John A. Barrett Jr., right, and Committeeman Hilton Melot Welcome Geraldine Sweetman of the National Indian Council on Aging



The New Salad Bar Is A Popular Place Come Lunch Time



Committeeman and Mrs. Francis Levier Chat With Hazel Myers Over Lunch



The Center Offers A Large Lounge Area With A Stereo And A Big-Screen Television



Secretary-Treasurer Bob Davis, Standing, Converses With Some Of The People Who Were Present On Dedication Day



Vice Chairman Linda Capps Chats With Marge Neddeau

Minutes from a 1916 Business Committee Meeting

The Indian Scout
Published by the United States Indian School, at
Shawnee, Oklahoma
February, 1916

The Business Committee for the Citizen Band of Pottawatomie Indians met at the Agency Office on Saturday, February 19, 1916.

This is the Committee which was elected at the general council held at the Agency December 20, 1915, and later approved by the Indian Office.

The meeting on Saturday was called to perfect the permanent organization of the Committee. All members of the committee except Asa Wall were present. Mr. Wall was in New York and could not well attend at this time.

Steve Neghanquit, of Sacred Heart, was elected chairman and Ben J. Claridy, of Shawnee, was chosen as secretary. John Whitehead, Ben J. Claridy and George Haas, were chosen as a committee to pre-

pare rules and regulations governing the action of the committee in its business, these to be presented for consideration at the next meeting.

Steve Neghanquit, Peter Bourassa and Asa Wall were elected a committee to prepare a careful statement of the claims of the tribe, their statement to be submitted to the next meeting of the Business Committee for consideration. It is intended that this statement will show in a plain and clear manner just what the claims of the tribe are, what the Business Committee is after, and briefly the reasons for such claims.

It was voted that all members of the committee should be allowed three dollars per day and expenses when officially employed on tribal affairs, it being understood that no member of the committee should have any other money interest in any agreement connected with tribal affairs. This pay along with such attorney's fees as are necessary will be taken

out of whatever funds may be secured by the Committee or its attorneys, and all the balance paid to the tribe.

It was voted that a member of the Committee must be present in order to vote, that is that no member of the Committee could authorize any person to occupy a place on the Committee or cast his vote in his absence.

It was requested that the Superintendent's letter to the Committee be published in the Scout. Selections from this letter will be found in our next number.

It was also suggested that the proceedings of the Committee be published in the Scout from time to time.

The Committee adjourned to meet again in the Agency Office on Wednesday, March 8, 1916, at 1:30 p. m.

The ABCs Of Treaties

1. A treaty is contract between two or more sovereign nations that is as binding today on the governments that signed it as when agreed to more than a hundred years ago.

2. The U.S. Constitution in Article 6, Section 2, states that treaties are the supreme law of the land.

3. Indian treaties have as much force as treaties made with any other nation. U.S. courts repeatedly uphold the validity of Indian treaties and the continued sovereignty of Indian nations.

4. Treaties are not simply old historical documents nor are they outdated. Their age does not invalidate them any more than age invalidates the U.S. Constitution.

5. Treaties as "supreme law of the land" are superior to the law of any states. As the U.S. Constitution points out, "the judges in every state shall be bound thereby, any thing in the Constitution or laws of any state to the contrary notwithstanding."

6. At different points in history, states and individual claims have

challenged the legal force of Indian treaties, but the Supreme Court has upheld their validity.

7. Violations of treaties do not nullify them any more than committing a crime nullifies the law that forbids the crime.

8. The fact that the United States has broken treaties reflects on the integrity of the United States, not on the integrity of treaties.

9. Some treaties contain the right to use off-reservation land for Indians' traditional subsistence activities of hunting, fishing and gathering, which do not necessarily require that the tribes have title to the land.

10. Although a statute ended Indian treaty making in 1871, all treaties are still in full force to this day and "no obligation or any treaty lawfully made and ratified with any such Indian nation or tribe prior to March 3, 1871 shall be thereby invalidated or impaired."

The ABCs of Treaties was prepared by the Association on American Indian Affairs, Spring, 1990.

First museum director has strong Oklahoma ties

Smithsonian Institution Secretary Robert McC. Adams announced the appointment of W. Richard West Jr., an Albuquerque, N.M., attorney and member of the Cheyenne-Arapaho Tribes of Oklahoma, as director of the National Museum of the American Indian, effective June 1.

West, 47, has devoted his professional life and much of his personal life to working with American Indians on cultural, educational, legal and governmental issues.

West was the first choice of the search committee, which considered 18 nominees for the position.

In making the announcement, Secretary Adams said: "Launching this great new museum calls upon an almost overwhelming array of experiences and talents. Mr. West brings together the critical ones to an extraordinary degree. It is the Smithsonian's great good fortune to have been able to enlist as the founding director a person with his qualities of leadership, judgment and commitment to a deeper understanding of the meaning of American Indian life and culture."

West said, "I am deeply honored and humbled by the Smithsonian Institution's decision to appoint me

as the first director of the National Museum of the American Indian. This hopefully change-making cultural institution has an unprecedented opportunity to alter forever how all Americans understand the natives of this hemisphere."

West, who grew up in Muskogee, Okla., was born in San Bernardino, Calif., on Jan. 1, 1943, the son of American Indian artist Walter Richard West Sr. and Maribelle McCrea West.

On Nov. 28, 1989, President George Bush signed legislation establishing the National Museum of the American Indian as a new

Smithsonian Institution museum. It will join the Smithsonian family of 14 currently existing museums and galleries and the National Zoological Park.

Scheduled to open in 1998, the National Museum of the American Indian will be dedicated to the collection, preservation, study and exhibition of American Indian languages, literature, history, art and culture. The new facility will be located on the National Mall on its chosen site between the National Air and Space Museum and the U.S. Capitol.

The centerpiece of the new

museum will be the priceless collection of more than 1 million artifacts in the Museum of the American Indian, Hey Foundation, now in New York City.

In addition to the Mall facility, the museum will comprise an exhibition site, the George Gustav Heye Center of the National Museum of the American Indian, in the Old U.S. Custom House in lower Manhattan. There will also be a storage, research and conservation facility at the Smithsonian's Museum Support Center in Suitland, Md.

Connecticut cooperation doesn't extend to Tennessee

The remains of seven Mashantucket Pequot Indians that had been unearthed by archaeologists near Ledyard, Conn., were reburied recently in a ceremony that marked a new cooperation.

But Indian leaders in Nashville plan to transport the remains of 83 American Indians unearthed there to a Sioux reservation in South Dakota for reburial, because they don't believe the bones will be safe

from excavation in Tennessee.

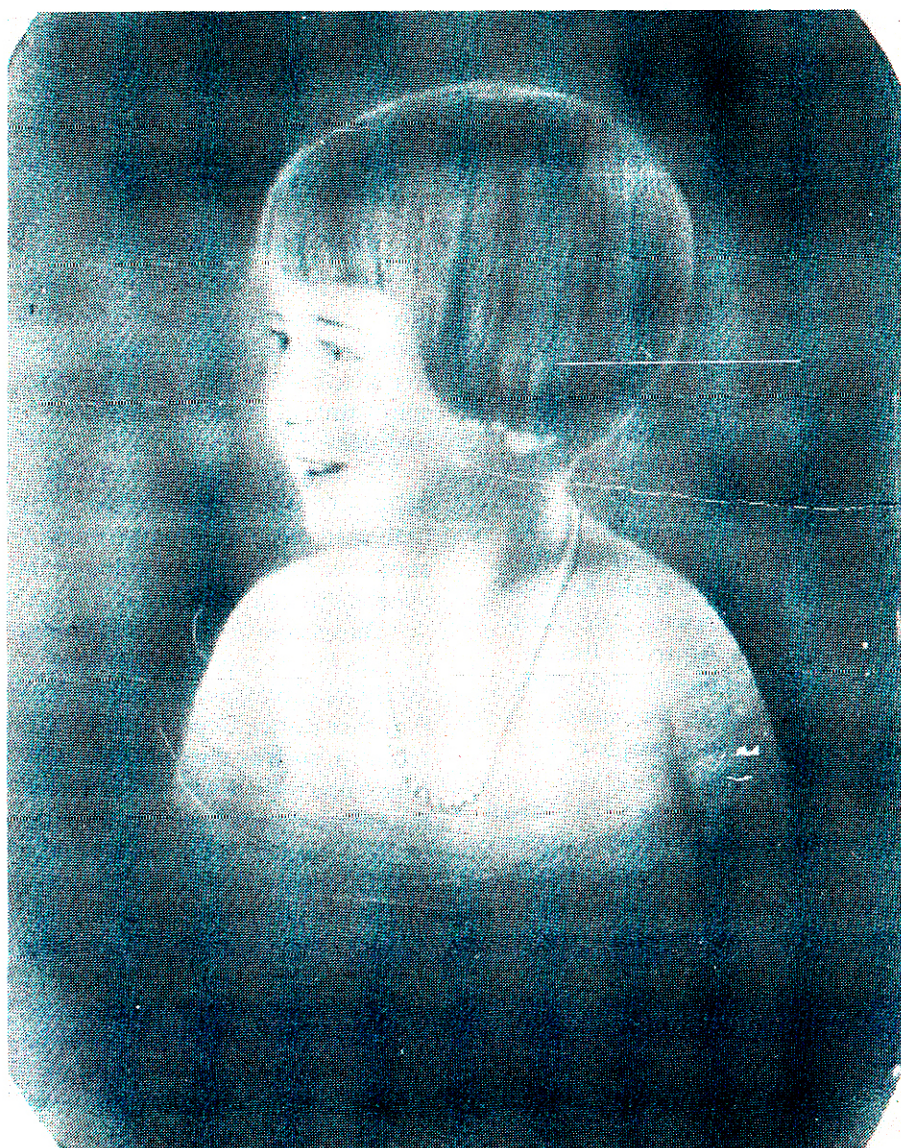
Connecticut passed a law last year requiring Indian tribes to be contacted whenever remains are unearthed. "Not too long ago, those bones would have been sent to a museum, but now we realize the scientific information doesn't take precedence over moral and ethical issues," said Prof. Kevin McBride of the University of Connecticut. In Nashville, leaders of the Alliance for Native American Indian Rights won

the right in court to take and rebury bones that had been unearthed at a construction site last fall.

"We do not want the bones of Indians who lived and died in this area to be taken to another state," said Archie Mouse, alliance president. "But because of the attitude of archaeologists toward digging up the ancient ones in the future when they have newer technology, and our lack of federal protection at this point, we have no choice."

TRIBAL TRACTS

Do you know who these people are?



Tribal Rolls Director Mary Farrell wants to know who the people in these old pictures are. The originals are tinted and were donated to the Tribe some time ago. If you can help, please contact Mrs. Farrell.

Donors Listed For HowNiKan

The following have made donations to the HowNiKan:

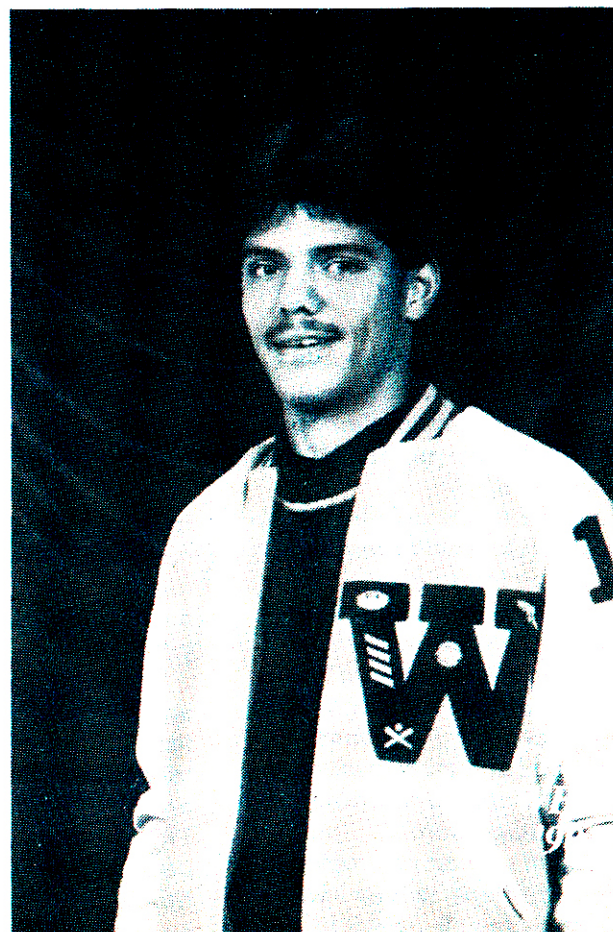
Burke Wyatt, AZ - \$25.00
Esther L. Custer, OK - \$20.00
Charlie L. Wright, OK - \$20.00
Margaret R. Carman, CA - \$9.50
Bonnie Smith, FL - \$25.00
K.G. Kemp, OK - \$35.00
Lois E. Anderson, CO - \$5.00
L. J. Dossey, NV - \$50.00

Our Apologies

Our apologies to new enrollees, Darci Michelle Trousdale and Kayla Nicole Trousdale, whose names were omitted in the previous HowNiKan.

Valedictorian

Christopher Michael Ray, son of Potawatomi Tribal member Michael W. Ray of Rt. 3, Okemah was valedictorian of his senior class of Weleetka High School. Chris graduated with a 3.97 GPA and is on the Oklahoma and National Honor Society. Besides his academics, he also excelled in athletics. Football-1989 Player of the Year, Offensive Back of the Year, All-District Team District A-9, Honorable Mention All-State. Basketball-Most Valuable Player (Defense) 1190, All Conference and District, played in the Kiamichi All Star game, Honorable Mention All State. Chris is in the process of negotiating with colleges on playing baseball. He plans to major in mathematics.



NATIONAL NEWS

Month honoring American Indians nearing reality

WASHINGTON, D.C. — A commemorative month honoring American Indians may soon be a reality. On May 1st, 1990 a joint resolution will be introduced by Senators Daniel Inouye (D-Hawaii) and John McCain (R-Arizona) designating November 1990 as "National American Indian Heritage Month."

If the resolution is passed by the House and Senate and signed by the president, this would be the first time a month has been set aside for American Indians.

"Too long Indians have lived in the shadows of American society. Indian Heritage is the true heritage of our nation," Princess Pale Moon, president of the American Indian Heritage Foundation (AIHF). "We need a way to draw the nation's attention to the first people of this country," she said.

Among the more than 125 current co-sponsors of this bill are Congressman Ben Nighthorse Campbell (D-Colorado) and Congressman Del. Eni F.H. Faleomavaega (D-American Samoa). The draft resolution states: "Whereas American Indians were the original inhabitants of the territories that now constitute the United States of America; Whereas American Indians and the descendants of such American Indians have made essential contributions to this Nation; Whereas the citizens of the United States should be reminded of the assistance given to our Founding Fathers by the Native American . . . Now, therefore, be it resolved . . . that the Month of November 1990, is designated "National American Indian Heritage Month."

In a letter of support, Barbara Murphy, Tribal chairman of the Redding Rancheria Tribe wrote, "We are so aware in our country that inaccuracies, stereotypes, and attitudes are for the most part very negative against our people. We therefore fully support a National focus which will give us the opportunity to enlighten our city fathers and neighbors."

Princess Pale Moon feels that this is one issue that could bring more unity among Indian people. "We feel fortunate that we could be part of making this dream come true. The Bill has to be signed by the President for four years in a row to make it an annual event. I am committed to continue our work to push for a permanent National American Indian Heritage Month."

Letters of support and copies of your congressional request letters can be mailed to the American Indian Heritage Foundation, 6051

Arlington Blvd, Falls Church, Virginia, 22044 - (202) INDIANS - FAX number (703) 532-1921. Contact AIHF regarding "Heritage Month" and for poster competition information.

Justice Department has free number for complaints

WASHINGTON — The Community Relations Service of the Department of Justice has initiated a toll-free telephone hotline for reporting complaints of racial violence and harassment.

The telephone number is 1-800-347-HATE, and represents the hotline service Pres. George Bush announced during the signing of the Hate Statistics Crime Act.

"The establishment of this hotline by CRS for the reporting of racial incidents and disputes complements the other Justice Dept. functions in this area, such as the collection of hate crime statistics by the FBI, and the enforcement of civil rights laws by the Civil Rights Division," said CRS Director Grace Flores Hughes.

The phone line began operating April 30. "Increasing racial violence and harassment from small hate groups in virtually every corner of the country requires a better mechanism for reporting racial disputes for our conciliation and mediation services," Hughes said.

Calls received by the Community Relations Service's "800" number will be referred to one of the agency's 10 regional offices for possible resolution.

Crows, Bureau reach agreement over coal tax

Crow tribal officials and the Bureau of Indian Affairs have reached agreement on the handling of a \$35 million settlement the tribe has won in a lawsuit over Montana's coal severance tax.

Most of the money is expected to go into a permanent trust fund. But the tribal government and the BIA have yet to agree on where the fund will be established and how income from it will be administered. Tribal officials say a private trust not restricted by government investment regulations would be more profitable.

The \$32 million comes from an account established in 1982 while a federal court was deciding on the tribe's challenge of the state severance tax. The U.S. Supreme Court in 1988 upheld a lower federal court decision that the state of Montana had no authority to tax coal owned by the Crow Tribe.

The tribe is expected to recover severance taxes paid to the state between 1975, when the state began taxing tribal coal, and 1982, when the \$32 million fund was established.

The back taxes plus interest accrued could total more than \$100 million.

Four Zuni statues are recovered, search continues

Statutes returned Four stolen Zuni war god statues, dating as far back as the early 1800s, have been recovered by Zuni leaders, and they have located additional statues in several foreign countries and U.S. states.

Barton Martza, a Zuni Tribal Council member, said he and other Zunis have been pursuing catalogs of Zuni artifacts to locate the war gods, and so far have returned 31 to the pueblo since 1978. It is not known how many are still missing, he said.

Of the four recovered this month, two were released by the Museum of the American Indian and one by the American Museum of Natural History, both in New York, and one by the Hudson Museum at University of Maine. Martza traveled to New York May 5 along with tribal Bow Priest Perry Tsadiasi and T.J. Ferguson, an anthropologist, to bring the statues home.

The carved wooden statues are about 2 1/2 feet tall. The pueblo makes two war god statues each year - one by the bear clan and one by the deer clan. They are given to the bow priests, also known as war chiefs, who place them in shrines around the reservation. Traditional Zunis believe the evils of the world are caused by the absence of the statues from their shrines - that an evil energy comes from them when they are not enshrined.

When they are in their shrines, the war gods are guardians to protect the Zuni people. Thieves have stolen the statues from their shrines for hundreds of years, selling them to museums and private collectors. Two of the recently returned war gods were taken from the reservation by a museum anthropologist who "mistakenly believed they had been discarded," he said.

Sitting Bull's tobacco pouch back in Montana

A tobacco pouch which once belonged to Sitting Bull has been returned from Mississippi to Montana.

The pouch, made of white buckskin and decorated with

beadwork and tassels, was given by Sitting Bull to Molly Baily in 1864. According to family accounts, Sitting Bull was a friend of Will Baily, Molly's husband. On one of their visits, Molly expressed admiration for the pouch and Sitting Bull gave it to her.

George Turpin of Jackson, Miss., the great-great grandnephew of Molly Baily, said he has had the pouch for the last 42 years. He decided to donate it to the Montana Historical Society Museum in Helena because he feels it is not a personal possession, but belongs to the people.

Kirby Lambert, curator at the Historical Society Museum, said the pouch had been dated to the 1800s and is of Ute origin. In a letter written in 1884 by a family member, Lambert said, it was stated that the pouch was made by one of Sitting Bull's wives.

Lambert said he does not have hard evidence that proves positively that the pouch belonged to Sitting Bull, but said the family had reason to believe it did and placed enough value on the pouch to take great care of it through the years.

"We hope to process the pouch and have it on exhibit by summer," said Lambert.

Turpin was quoted in the Lakota Times as saying he has a deep sentimental attachment for the pouch, but feels it should be put to better use. "It belongs to the people. I'm just returning it from whence it came. It's going back to the right place."

Funds being raised for Native American Veterans memorial

Funds for a nine-foot tall monument of Native American veterans are being raised in Iowa through the sale of small replicas of the proposed memorial.

The replicas are 14 inches high and weigh 16 pounds. Only a limited edition was authorized and purchasers may request certain numbers.

The memorial itself will be raised in Monument Park south of the Iowa state capital building in Des Moines. Hoka Hey Fine Arts Foundry in Dublin, Texas, is casting the statue for the Native American Veterans Memorial Commission.

Willard van Hoorn of Rock Rapids, Iowa, president of the commission, said plans are to put the monument in place by Nov. 11 at an estimated cost of \$200,000. Of that, \$40,000 has been raised.

Additional information is available from The Warriors Account, Box 1990, Rock Rapids, Iowa 51246-1990.

Canadian Potawatomis seek compensation from U.S.

More than 150 years is too long to wait for a small measure of justice. But 10,000 Canadian Indians still await the justice owed by the U.S. government.

The 10,000 are descended from a group who fled from the United States in the 1830s — dispossessed by Congress, and never paid for their lost lands.

New they have new hope. After a century of persistence and disappointment, the Potawatomi Nation has stirred legislative interest in the U.S. Senate.

Their effort deserves redoubled support from Canada.

The Potawatomi (pronounced PAH-ta-WAH-tomee) were sovereign once, in what is now Ohio, Michigan, Indiana, Illinois and Wisconsin. By 16 separate treaties, between 1795 and 1846, Congress took all that in exchange for other land and annuities.

But about 3,000 Indians refused to sign one of the treaties, and took refuge in Canada. They dispersed around Lake Huron, east of Peterborough and south to Windsor. They live in 35 communities, most on reserves.

Their language has almost vanished. Their culture has not quite been lost in the generations of absorption into other Indian bands and white communities.

But their tribal council has survived, pleading for compensation from the U.S. Congress. They came closest in 1908, when a congressional investigation concluded that the Canadian Potawatomi were entitled to compensation of \$1.5 million.

What the Potawatomi want is the \$1.5 million, plus interest and damages for breach of trust. The money would establish a trust for education, re-

search and economic and cultural development.

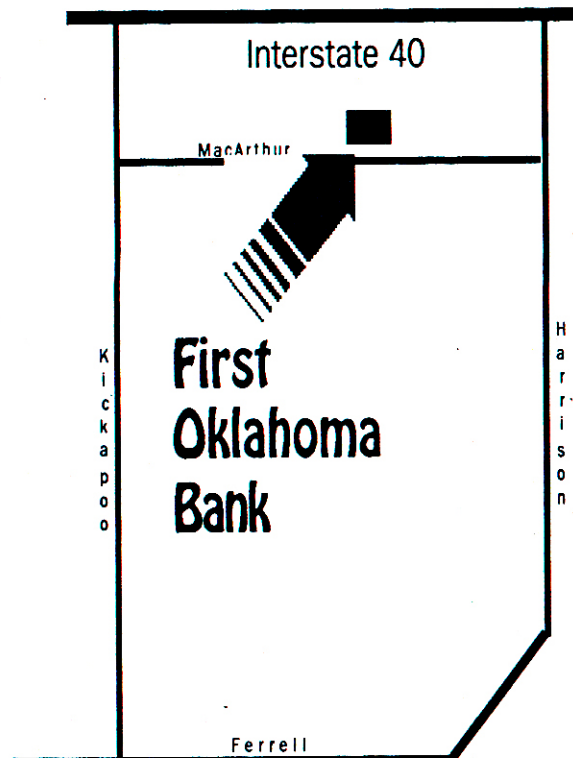
Congress must make the first move — by referring the case to the U.S. Claims Court, or by passing a bill.

The present optimism springs from the interest taken by Democratic Senator Daniel Inouye of Hawaii, chairman of the select committee on Indian affairs in the U.S. Senate.

Canada's External Affairs Department, to its credit, has lobbied for the Potawatomi in Washington. (A nice touch: the Canadian government helping to secure an aboriginal settlement in Washington while fending off claims in Ottawa.)

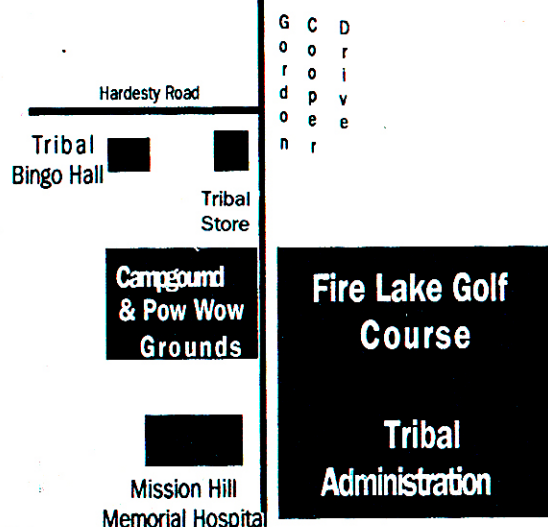
It only remains for the United States itself to act, as it should. This injustice demands redress, no matter how long the wait.

WELCOME!



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Tribal Attorney's Report For 1989-90

TO: The Citizen Band Potawatomi Indian Tribe of Oklahoma

FROM: Michael Minnis, Tribal Attorney

SUBJECT: Tribal Attorney's Report to General Council from July 1, 1989, to June 30, 1990.

DATE: June 12, 1990

Although the tribal attorney has provided continuing advice to the members of the Business Committee on a variety of matters, most of this year's tribal attorney's expenses have arisen from litigation. The Tribe's victory over Enterprise Management Consultants, Inc. is being consolidated and this litigation should be closed within a year. The Tribe's continuing fight with the Oklahoma taxing authorities has moved to the United States Supreme Court.

Litigation

The litigation can be divided into three main areas:

I. Bingo

Five cases have arisen out of the Tribe's successful effort to regain control over the tribal bingo game. The first was a suit which essentially gave Enterprise Management Consultants, Inc., an Oklahoma corporation operated by John Clark Caldwell, III, and Leroy Wheeler, control of the game. (We did not represent the Tribe in this initial suit.) The second suit was brought by the Tribe and has resulted in the Tribe regaining control over its own game. The only remaining issues are the liabilities of Wheeler and Caldwell for damages. The Tribe has recently been awarded monetary damages against the two corporations involved. The third suit was by Enterprise against the Tribe which the Tribe successfully defended in district court and on appeal to the Tenth Circuit. The fourth and fifth suits are where Wheeler and Enterprise have filed for reorganization under the bankruptcy laws.

II. Taxes

The Tribe's fight against the Oklahoma Tax Commission's (OTC) effort to finish the disestablishment of the Indian tribes in Oklahoma has resulted in two suits. The first is an attempt to assess the Tribe with a cigarette tax for sales by the Tribe from 1981 through 1985. The Tenth Circuit has held in favor of the Tribe. Oklahoma has appealed this decision to the United States Supreme Court. The Supreme Court has asked the United States Attorney General to file a brief in the case. Litigation with Oklahoma will inevitably continue. In the second, the Tribe has obtained a temporary injunction prohibiting Oklahoma from interfering with the sale of non-intoxicating beverages on trust land.

III. Sovereignty

The Tribe is also fighting two suits against internal attacks on sovereignty. The first was brought by former employee Pat Sulcer, a non-tribal member, against the Business Committee alleging that the elected body of the Tribe did not have the authority to terminate her employment with the Tribe. The second case, also brought by Pat Sulcer, challenges the jurisdiction and integrity of the Tribal Court. In an action brought in the State Supreme Court, Sulcer argues that state courts do not have to recognize tribal divorce decrees and that the Tribal Court did not have jurisdiction over an Oklahoma resident. Finally, Sulcer challenges the integrity of the Court alleging tribal jurisdiction was obtained through fraud, duress and misrepresentation. The Tribe has been allowed to file a brief as amicus curiae in the Oklahoma Supreme Court.

Litigation Summary

In general, the goal in litigation has been to achieve the best result for the tribe in the quickest possible time. To assist non-lawyers in evaluating this report, the summary set forth below has been prepared. If a matter is still pending, the period is to June 30, 1990, the date of the General Council.

1. Goals Obtained In This Fiscal Year:

a. Tenth Circuit affirms dismissal of Enterprise suit — The Court also held that the United States could not be compelled to approve the bingo management agreements between Enterprise and the Tribe. Enterprise Management Consultants, Inc. v. Hodel, et al., 883 F.2d 890, 894 (10th Cir. 1989).

b. Tenth Circuit grants Tribe relief from Enterprise injunction — The Tenth Circuit held that Enterprise was not entitled to an injunction allowing Enterprise to conduct bingo games on tribal land. Citizen Band Potawatomi Indian Tribe of Oklahoma v. Enterprise Management Consultants, Inc., 883 F.2d 886, 890 (10th Cir. 1989).

c. Tribe obtains judgment against Enterprise — The Tribe's motion for summary judgment against Enterprise Management was granted and the Tribe was awarded nearly \$4 million in damages. The Court also terminated the business lease and sublease between the Tribe and Enterprise.

d. Tribe obtains judgment against EMCI — The Court also found EMCI Property Management, Inc., which illegally operated games on tribal land for more than a year, was liable for \$2.6 million in damages to the Tribe.

e. Tenth Circuit rejects OTC taxing authority in Indian Country — The Tenth Circuit held that the Oklahoma Tax Commission does not have authority to assess the Tribe with \$2.6 million in taxes for the sale of cigarettes at the tribal convenience store nor require the Tribe to collect the tax.

f. OTC permanently enjoined from assessing the Tribe with cigarette tax — A permanent injunction was entered January 4, 1990 prohibiting Oklahoma from entering tribal land for purposes of exercising its taxing or regulatory powers to assess the Tribe with a cigarette tax.

g. OTC temporarily enjoined from interfering with beer sales — The Tribe obtained a temporary injunction prohibiting Oklahoma from interfering with the sale of non-intoxicating beverages at the tribal convenience store and the golf shop. The state had notified the Tribe's beer distributors that they could lose their licenses if they sold beer to any entity not licensed by the State of Oklahoma. The Tribe does not purchase a license from the State of Oklahoma. When the Tribe was notified by distributors that beer would no longer be sold to the Tribe, the Tribe applied for an injunction prohibiting the state from interfering with those sales. After granting the Tribe a preliminary injunction, the Trial Court took this case under advisement pending the result of the OTC's petition to the U.S. Supreme Court in the cigarette tax case. Minute Order (May 2, 1990).

2. Goals Not Yet Obtained:

a. Judgement against Caldwell for damages — Caldwell received money from unapproved contracts and was the alter ego for Enterprise and EMCI. Caldwell's motion to dismiss the Tribe's suit has been denied and his answer is due June 24.

b. OTC petition to U.S. Supreme Court — The OTC has petitioned the U.S. Supreme Court to review the Tenth Circuit decision in favor of the Tribe. The Supreme Court has made no decision on whether to accept or deny review of the case, but has asked the Solicitor's Office to file a brief stating the position of the United States.

Litigation Details

Hereafter, a more detailed report is provided for each case.

1. U.S. EX REL. THE CITIZEN BAND POTAWATOMI INDIAN TRIBE OF OKLAHOMA v. ENTERPRISE MANAGEMENT CONSULTANTS, INC., No. CIV-86-1171-A (U.S. Dist. Ct. W.D. Okl. May 27, 1986), appeal filed, no. 88-2311 (10th Cir. Ct.

App. Aug. 31, 1988.)

In April of 1986, the BIA published guidelines for reviewing Indian bingo management contracts and instructed the tribes to make sure that their management contracts were consistent with these guidelines and submit them for BIA approval. In compliance with this BIA directive, the Tribe attempted to negotiate a new contract with Enterprise which met the BIA guidelines. After several meetings, Enterprise announced that it had no intention of entering into any agreement which would meet the BIA guidelines and broke off negotiations. During the process of negotiations, the Tribe learned that Enterprise had not been paying any rent as promised in the original lease agreement. Accordingly, the Tribe filed suit to have the court declare the bingo management agreements with Enterprise null and void because not approved as required by federal law, have Enterprise account for the monies received under the invalid contracts, have Enterprise pay for the accrued rentals plus interest, and have the lease with Enterprise declared terminated. After filing suit, the Tribe asked the court to enter partial summary judgment, to-wit: declare that the management agreements were null and void because never approved by the BIA. The court has yet to finally rule on this motion. If the motion is granted, this suit will be effectively over except for a calculation of the amount of damages owed the Tribe by Enterprise.

Shortly after Judge Bohanon recused himself from this litigation, the Tribe renewed its motion for partial summary judgment with the newly-assigned Judge, Wayne Alley. However, at the request of Enterprise, Judge Alley took this motion under advisement during the pendency of the Tribe's appeal of Judge Bohanon's interlocutory order. When discovery revealed that Enterprise was a mere shell, Wheeler and Caldwell were added as defendants.

On August 26, 1989, the Tenth Circuit ruled that Enterprise did not meet its burden of showing that it could prevail on the merits of the case and thus vacated the injunction previously entered by Judge Bohanon. The Tribe then immediately renewed its motion for summary judgment. On June 4, 1990, the Court awarded the Tribe \$3,575,286.88 against Enterprise Management Consultants, Inc. for monies wrongfully received under the unapproved bingo agreements. The same day the Court entered judgment against EMCI Property Management, Inc. in favor of the Tribe for \$2,899,941.25. The Court also terminated the lease and sublease between the Tribe and Enterprise. Defendant Wheeler is now in a Chapter 11 bankruptcy. Defendant Caldwell has been served and must answer by June 24. The Tribe will attempt to recover on the judgments against two corporations from the individuals by showing that the individuals were alter egos of the corporation.

a. May 27, 1986 — Complaint filed.

b. June 17, 1986 — Tribe moves for partial summary judgment.

c. August 31, 1988 — Tribe enjoined from interfering with Enterprise operation of bingo.

d. August 31, 1988 — Tribe appeals.

e. September 2, 1988 — Stay of Enterprise injunction issued.

f. October 18, 1988 — Tribe renews motion for partial summary judgment filed.

g. June 9, 1989 — Caldwell and Wheeler added as parties.

h. August 26, 1989 — Tenth Circuit vacates district court injunction.

i. November 7, 1989 — Order directs disbursement of \$156,895.86 to the Tribe which the Tribe had been required to pay into the court pending resolution of the appeal.

Continued, next page

Tribal Attorney's Report — continued from previous page

j. April 11, 1990 — Order grants partial summary judgment against Enterprise finding that the bingo management agreements were not valid.

k. June 4, 1990 — Judgment after default against EMCI Property Management, Inc. in the amount of \$2,899,941.25.

l. June 4, 1990 — Order declaring the business lease between the Tribe and Enterprise terminated and awarding the Tribe \$3,575,286.88.

m. June 4, 1990 — Order denying Caldwell motion to dismiss; and requiring an answer in the action by June 24.

2. ENTERPRISE MANAGEMENT CONSULTANTS, INC. v. UNITED STATES OF AMERICA, ex rel DONALD HODEL, SECRETARY OF THE UNITED STATES DEPARTMENT OF THE INTERIOR, et al., No. CIV-87-2464-A (U.S. Dist. Ct. W.D. Okl. Dec. 14, 1987), appeal filed, nos. 88-2151 and 88-2231 (10th Cir. Ct. App. Apr. 28, 1988).

Enterprise sued the Department of the Interior and the Tribe requesting a judgment that the 1985 "Management Agreement" between Enterprise and the Tribe be approved.

The Tribe's motion to dismiss was granted but sanctions were denied. Enterprise appealed the dismissal to the Tenth Circuit, and the Tribe promptly cross-appealed for attorney's fees.

On August 26, 1989, the Tenth Circuit upheld the dismissal of Enterprise's action against the Tribe and the United States government. The Court held that the Tribe had not consented to be sued by Enterprise and thus the Court had no jurisdiction.

a. December 14, 1987 — Complaint filed.
b. January 13, 1988 — Tribe moves to dismiss.
c. March 29, 1988 — Order dismissing the tribe entered.
d. May 23, 1988 — Order dismissing the suit entered.

e. July 22, 1988 — Appeal filed.
f. March 10, 1989 — Oral argument heard.
g. August 26, 1989 — Tenth Circuit denies Enterprise relief on appeal and affirms dismissal.

3. THE CITIZEN BAND POTAWATOMI INDIAN TRIBE OF OKLAHOMA v. THE OKLAHOMA TAX COMMISSION, No. CIV-87-0338-W (U.S. Dist. Ct. W.D. Okl. Feb. 18, 1987), on appeal, 888 F.2d 1303 (10th Cir. 1989), petition for cert. filed, No. 89-1322.

On February 1, 1987, the Oklahoma Tax Commission (OTC) served a proposed \$2.6 million cigarette tax assessment of the Chairman of the Business Committee. As subsequently developed, this was clearly a mistake. After the Tribe filed suit against the OTC seeking an injunction against the proposed assessment, the OTC immediately changed the assessment to the Tribe. After a hearing and following the filing of briefs, the Tribe's request for a preliminary injunction was granted. The parties thereafter stipulated to all material facts and submitted the case to the court on briefs.

Before the Court had decided the case, the State of Oklahoma conspired with the taxing agencies in Kansas, Texas, Tennessee and Arkansas to cut off the flow of cigarettes to the tribe from distributors in those states. The tribe immediately moved for a hearing to determine whether the State of Oklahoma was in contempt of the earlier injunction issued by the Court. After a hearing in which tax authorities from Tennessee, Kansas and Texas all testified, the Court determined that the OTC had violated the injunction and entered a mandatory injunction that the OTC was to notify every entity request by the tribe that the OTC could not interfere with the sale of cigarettes to the tribe.

Thereafter, a permanent injunction was entered barring OTC from assessing the Tribe with a tax. However, the judgment also declared that the tribe was to cooperate with the OTC in collecting and

remitting cigarette tax on cigarette sales by the tribe to non-tribal members. Both parties appealed from Judge West's order.

In the Fall, the Tenth Circuit issued an opinion finding that Oklahoma did not have jurisdiction within Indian Country and remanded to the district court to enter an order permanently enjoining Oklahoma from using its taxing and/or regulatory authority to impose a tax upon the Tribe. The OTC has petitioned for review by the United States Supreme Court. The Court subsequently asked the U.S. Attorney General to file a brief stating the United States' position on the issues presented on appeal. The United States Solicitor is currently writing the brief. Once the brief is submitted to the Court, the Court will decide whether to grant or deny the state's request for a hearing.

a. February 18, 1987 — Complaint filed.
b. March 10, 1987 — Preliminary injunction granted.

c. September 29, 1987 — Mandatory injunction entered.

d. May 6, 1988 — Permanent injunction entered.

e. July 22, 1988 — Appeal filed.

f. March 8, 1989 — Oral argument heard.

g. November 29, 1990 — Tenth Circuit finds Oklahoma does not have jurisdiction in Indian Country and directs it be enjoined from enforcing its taxing and regulatory powers in Indian Country.

h. January 23, 1990 — Oklahoma petitions U.S. Supreme Court for review of Tenth Circuit decision.

i. April 30, 1990 — Supreme Court asks U.S. Attorney to file brief.

4. THE CITIZEN BAND POTAWATOMI INDIAN TRIBE OF OKLAHOMA v. THE OKLAHOMA TAX COMMISSION, U.S. Dist. Ct. W.D. Okl., No. CIV-90-238-W.

On or about January 16, 1990, the Oklahoma Tax Commission notified beer distributors selling to the Tribe that it would be unlawful for the distributors to sell beer to any person or entity not licensed by the State of Oklahoma. The Tribe does not hold an Oklahoma distributor's license and had been selling beer for three years without such a license. When the OTC would not reverse its policy which would have resulted in the Tribe being unable to purchase beer for resale, the Tribe filed an action for injunctive relief. The Tribe seeks to enjoin Oklahoma from attempting to regulate the Tribe's purchase or sale of non-intoxicating beverages, including the state's attempts at threatening to revoke or revoking the wholesale licenses of those selling non-intoxicating beverages to the Tribe.

After oral argument, the Court granted the Tribe's motion for a preliminary injunction. Thereafter, all actions in the case were stayed pending the Supreme Court decision in the cigarette tax case.

a. February 9, 1990 — Complaint filed.

b. February 15, 1990 — Preliminary injunction granted.

c. May 2, 1990 — Order staying all proceedings pending outcome of cigarette tax case filed.

5. SULCER v. BARRETT, et al., Citizen Band Potawatomi Tribal Court, No. CIV-88-14-P, appeal filed, no. CIV-89-01-P (C.B. Pot. Sup. Ct.).

On August 22, 1989, former tribal employee Pat Sulcer filed an action against Business Committee members Bob Davis, Jim Young, Hilton Melot and Chairman John A. Barrett, Jr. alleging the Business Committee did not have the authority to terminate her employment. At a hearing for a temporary restraining order compelling the Tribe to place her back on the job, the Court found that the individuals were acting as members of the Business Committee and as such were immune from suit. The Court further found that Sulcer had been terminated by the Tribal Administrator, as called for in the policy

procedure manual, although the Administrator was merely carrying out the wishes of the Business Committee. Sulcer appealed the dismissal to the Tribal Supreme Court and a decision is pending.

a. August 21, 1989 — Complaint filed.

b. September 8, 1989 — Order dismissing complaint filed.

c. October 8, 1989 — Appeal filed.

d. February 20, 1990 — Oral argument on appeal held.

6. PATRICIA K. BARRETT, now PATRICIA K. SULCER v. JOHN A. BARRETT JR., No. 75014 (Okl. Sup. Ct.).

On May 17, 1990, the Tribe filed a motion for leave to file an amicus curiae brief and suggestion of mootness in a case which originated in Cleveland County District Court as a challenge to the Tribal Court's jurisdiction to grant a divorce. Pat Sulcer and John A. Barrett, Jr. were divorced in January of 1989 in the Tribal Court. Approximately one year later, Pat Sulcer challenged that divorce in state court. The state district court dismissed Pat Sulcer's case suggesting she should pursue tribal remedies. Pat Sulcer then appealed the state court's decision to the Oklahoma Supreme Court. At the same time, she initiated a new action in Tribal Court challenging the validity of the divorce. The Tribal Court held the divorce was properly granted and Pat Sulcer appealed that decision to the Tribal Supreme Court.

The Tribe sought leave to appear in the state court case because in her appeal, Sulcer directly attacked the integrity of the Tribe's courts by urging that: (1) Oklahoma was not required to give full faith and credit to a tribal divorce decree, (2) the Tribal Court did not have jurisdiction over Oklahoma residents living within the state's jurisdiction, and (3) tribal jurisdiction was obtained through fraud, duress and misrepresentation.

The Tribe was granted leave to file an amicus brief which is due within 40 days after Pat Sulcer's brief is filed.

a. February 16, 1990 — Appeal filed.

b. May 30, 1990 — Order entered allowing Tribe to submit brief.

TRUST LANDS

In early 1987, the tribe asked that the United States take three tracts of land in trust for the use and benefit of the tribe. In December of 1988, the Tribe was deeded a parcel by the Associated Committee of Friends on Indian Affairs. The four tracts of land are:

(a) 60.79 acres (BIA file no. 33-37-516) (Hardin allotment) is presently pasture land located on the east side of the tribal complex;

(b) 16.26 acres (BIA SW 22.87) (Roubison land) adjoins the northeast corner of the tribal golf course and is used for the food distribution building;

(c) 6.9 acres (BIA SW 22.83) (Maranatha land) is land used for 25 duplexes and a community center for the elderly south of the Shawnee complex; and

(d) 3.06 acres (Friends) is historical land located south of the tribal complex.

On March 23, 1988, the tribe was notified that all three parcels would be taken in trust by the United States for the benefit of the tribe upon the completion and meeting of certain title requirements. Several technical requirements to correct the abstract were also required and met. The Hardin allotment was approved for placement into trust on August 1, 1988 subject to a Central Office final title opinion and the deed being recorded. That requirement was completed and the land was placed in trust on April 9, 1990. The Roubison and Maranatha parcels were also approved to be placed in trust, but before final action was taken new federal regulations went into effect which forced the Roubison Tract to be resubmitted. The Maranatha Tract, because it contains housing, did not have to be resubmitted and is awaiting for trust placement.



TREATIES: *Potawatomi Treaty of 1828*

Articles of a treaty made and concluded at the Missionary establishments upon the St. Joseph, of Lake Michigan, in the Territory of Michigan, this 20th day of September, in the year of our Lord one thousand eight hundred and twenty-eight, between Lewis Cass and Pierre Menard, Commissioners, on the part of the United States, and the Potawatami tribe of Indians.

ARTICLE 1st. The Potawatami tribe of Indians cede to the United States the tract of land included within the following boundaries:

1st. Beginning at the mouth of the St. Joseph, of Lake Michigan, and thence running up the said river to a point on the same river, half way between La-vach-qui-pisse and Macousin village: thence in a direct line, to the 19th mile tree, on the northern boundary line of the State Indiana; thence, with the same, west, to Lake Michigan; and thence, with the shore of the said Lake, to the place of beginning.

2. Beginning at a point on the line run in 1817, due east from the southern extreme of Lake Michigan, which point is due south from the head of the most easterly branch of the Kankekee river, and from that point running south ten miles; thence, in a direct line, to the northeast corner of Flatbelly's reservation; thence, to the northwest corner of the reservation at Seek's village; thence, with the lines of the said reservation, and of former cessions, to the line between the States of Indiana and Ohio; thence, with the same to the former described line, running due east from the southern extreme of Lake Michigan; and thence, with the said line, to the place of beginning.

ART. 2. In consideration of the cessions aforesaid, there shall be paid to the said tribe an additional permanent annuity of two thousand dollars; and also an additional annuity of one thousand dollars, for the term of twenty years; goods, to the value of thirty thousand dollars, shall be given to the said tribe, either immediately after signing this treaty, or as soon thereafter as they can be procured; and additional sum of ten thousand dollars, in goods, and another of five thousand dollars, in specie, shall be paid to them in the year 1829.

The sum of seven thousand five hundred dollars shall be expended for the said tribe, under the direction of the President of the United States, in clearing and fencing land, erecting houses, purchasing domestic animals and farming utensils, and in the support of labourers to work for them.

Two thousand pounds of tobacco, fifteen hundred weight of iron, and three hundred and fifty pounds of steel, shall be annually delivered to them.

One thousand dollars per annum shall be applied for the purposes of education, as long as Congress may think the appropriation may be useful.

One hundred dollars, in goods, shall be annually paid to To-pen-i-be-the, principal chief of the said tribe, during his natural life. The blacksmith, stipulated by the treaty of Chicago to be provided for the term of fifteen years, shall be permanently supported by the United States.

Three labourers shall be provided, during four months of the year, for ten years, to work for the band living upon the reservation South of the St. Joseph.

ART. 3. There shall be granted to the following persons, all of whom are Indians by descent, the tracts of land hereafter mentioned, which shall be located upon the second cession above described, where the President of the United States may direct, after the country may be surveyed, and to correspond with the surveys, provided that no location shall be made upon the Elkheart Prairie, nor within five miles to the same; nor shall the tracts there granted be conveyed by the grantees, without the consent of the President of the United States.

To Sah-ne-mo-quay, wife of Thomas Robb, one half section of land.
To Me-no-ka-mick-quay, wife of Edward McCarty, one half section of land.
To Ship-pe-shick-quay, wife of James Wyman, one half section of land.
To Assapo, wife of Antoine Gamlin, one half section of land.
To Moahquay, wife of Richard Chabert, one half section of land.
To Me-shaw-ke-to-quay, wife of George Cicot, two sections of land.
To Mary Prejean, wife of Louis St. Combe, one section of land.
To To-pe-naw-koung, wife of Peter Langlois, one section of land.
To Au-bee-nan-bee, a Potawatami chief, two sections of land.
To Me-che-hee, wife of Charles Minie, a half section of land.

To Louison, a Potawatamie, a reservation of one section, to include his house and cornfield.

To Kes-he-wa-quay, wife of Pierre F. Navarre, one section of land.
To Benac, a Potawatami, one section of land.
To Pe-pe-ne-way, a chief, one section of land.
To Pierre Le Clair, one section of land.

To Betsey Ducharme, one half section of land. The section of land granted by the treaty of Chicago to Nancy Burnett, now Nancy Davis, shall be purchased by the United States, if the same can be done for the sum of one thousand dollars.

To Madeleine Bertrand, wife of Joseph Bertrand, one section of land.

ART. 4. The sum of ten thousand eight hundred and ninety-five dollars shall be applied to the payments of certain claims against the Indians, agreeably to a schedule of the said claims hereunto annexed.

ART. 5. Circumstances rendering it probable that the missionary establishment now located upon the St. Joseph, may be compelled to remove west of the Mississippi, it is agreed that when they remove, the value of their buildings and other improvements shall be estimated, and the amount paid by the United States. But, as the location is upon the Indian reservation, the Commissioners are unwilling to assume the responsibility, of making this provision absolute, and therefore its rejection is not to affect any part of the treaty.

ART. 6. This treaty shall be obligatory, after the same has been ratified by the President and Senate of the United States.

In testimony whereof, the commissioners, and the chiefs and warriors of the said tribe have hereunto set their hands, at the place and upon the day aforesaid.

Lewis Cass,
Pierre Menard,
To-pen-e-bee, his x mark,
A-bee-na-bee, his x mark,
Po-ka-gon, his x mark,
Ship-she-wa-non, his x mark,
Quai-quai-ta, his x mark,
Mixs-a-be, his x mark,
Mo-sack, his x mark,
Wa-ban-see, his x mark,
Pe-nan-shies, his x mark,
Mish-ko-see, his x mark,
Moran, his x mark,
Shaw-wa-nan-see, his x mark,
Mank-see, his x mark,
Shee-quai, his x mark,
Ash-kum, his x mark,
Louison, his x mark,
Che-chalk-koos, his x mark,
Pee-pee-nai-wa, his x mark,
Moc-conse, his x mark,
Kaush-quaw, his x mark,
Sko-mans, his x mark,
Au-tiss, his x mark,
Me-non-quet, his x mark,
Sack-a-mans, his x mark,
Kin-ne-kose, his x mark,
No-shai-e-quon, his x mark,
Pe-tee-nans, his x mark,
Jo-saih, his x mark,
Mo-teille, his x mark,
Wa-pee-kai-non, his x mark,
Pack-quin, his x mark,
Pash-po-oo, his x mark,
Mans-kee-os, his x mark,
Wash-e-on-ause, his x mark,
Pee-shee-way, his x mark,
O-kee-au, his x mark,
Nau-kee-o-nuck, his x mark,
Me-she-ken-ho, his x mark,
Non-ai, his x mark,
Wa-shais-skuck, his x mark,
Pai-que-sha-bai, his x mark,
Mix-a-mans, his x mark,
Me-tai-was, his x mark,
Mis-qua-buck, his x mark,
A-bee-tu-que-zuck, his x mark,
Kee-ai-so-quai, his x mark,
A-bee-tai-que-zuck, his x mark,
Wau-shus-kee-zuck, his x mark,
Kee-kee-wee-nus-ka, his x mark,
Nichee-poo-sick, his x mark,
Wa-sai-ka, his x mark,
Mee-quen, his x mark,
Num-quai-twa, his x mark,
Mee-kee-sis, his x mark,
Sans-gen-ai, his x mark,
Wish-kai, his x mark,
She-she-gon, his x mark,
Pee-pee-au, his x mark,
O-tuck-quin, his x mark,
Moo-koos, his x mark,

Louison, his x mark,
Pchee-koo, his x mark,
Sha-wai-no-kuck, his x mark,
Zo-zai, his x mark,
Wai-z-we-shuck, his x mark,
Me-cheepee-nai-she-insh, his x mark,
Com-o-zoo, his x mark,
Je-bause, his x mark,
Le Boeuf, his x mark,

After the signature of the Treaty, and at the request of the Indians, it was agreed, that of the ten thousand dollars stipulated to be delivered in goods, in 1829, three thousand dollars shall be delivered immediately, leaving seven thousand dollars in goods to be delivered in 1829.

The reservation of Pe. Langlois' wife to be located upon the north side of Eel river, between Peerish's village and Louison's reservation.

The reservation of Betsey Ducharme to be located at Louison's run.

Lewis Cass,
Pierre Menard.

Ratified, with the exception of the following paragraph in the third article: "To Joseph Barron, a white man, who has long lived with the Indians, and to whom they are much attached, two sections of land; but the rejection of this grant is not to affect any other part of the treaty."

Signed in the presence of-
Alex. Wolcott, Indian agent,
John Tipton, Indian agent,
Charles Noble, secretary to commissioners,

A. Edwards, president of the legislative council,
R. A. Forsyth,
D. G. Jones,
Walter Wilson, major general Indiana Militia,
Calvin Britain,
E. Reed.

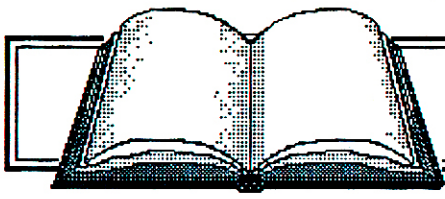
APPENDIX II.

Schedule of claims referred to in the fourth article of the treaty of the 20th September, 1828, with the Potawatamie Indians.

Thomas Robb \$200, for goods heretofore sold to the Indians.

McGeorge \$300, for provisions sold to the Indians.

Jno. B. Godfroy \$200, for goods heretofore sold to the Indians.



For the record...

Business Committee Minutes, April 25, 1990

Present: Chairman John Barrett, Vice Chairman Linda Capps, Secretary Treasurer Bob Davis, Committeeman Francis Levier, Committeeman Hilton Melot, Grievance Committee members, Jerry Motley, Jo Ann Johnson, Esther Lowden, Accounting Director Carolyn Sullivan, Tribal Rolls Director Mary Farrell.

Chairman Barrett called the meeting to order at 6:30 p.m.

Business Committee discussed disenrollment criteria on the referendum ballot and the decision on the Joe Walker resolution to the Bureau of Indian Affairs persona grata and the decision whether to retain the Shawnee Agency Superintendent's staff in FY91 funding. Consensus on the disenrollment criteria is to put it to a vote of the people. Consensus on the Joe Walker resolution is to be decided at a later date. The decision on the Belle Haney resolution is 4 in favor of keeping the agency and 1 against with the instruction to Bob Davis of the Business Committee when he attends the meeting, he votes last.

Bob Davis moved to approve the March 9, 1990 minutes; Hilton Melot seconded. Passed 5-0.

Business Committee recessed at 7:55 p.m. and convened as Tax Commission.

Business Committee reconvened at 8:15 p.m.

Hilton Melot moved to approve the April 5, 1990 Special Business Committee Meeting minutes; Linda Capps seconded. Passed 5-0.

Hilton Melot moved to approve 403B Potawatomi Unemployment Compensation Fund with 6% payroll deduction; Linda Capps seconded. Passed 5-0.

Francis Levier moved to approve Resolution #90-119 enrolling 27 descendant applicants; Hilton Melot seconded. Passed 5-0.

Bob Davis moved to approve Resolution #90-120 enrolling 32 descendant applicants; Linda Capps seconded. Passed 5-0.

Linda Capps moved to approve Resolution #90-121 enrolling 28 descendant applicants; Hilton Melot seconded. Passed 5-0.

Linda Capps moved to approve Resolution #90-122 enrolling 25 descendant applicants; Bob Davis seconded. Passed 5-0.

John Barrett moved to approve Resolution #90-123 enrolling 25 descendant applicants; Linda Capps seconded. Passed 5-0.

Hilton Melot moved to approve Resolution #90-124 enrolling 27 descendant applicants; Francis Levier seconded. Passed 5-0.

Linda Capps moved to approve Resolution #90-125 enrolling 23 descendant applicants; Bob Davis seconded. Passed 5-0.

John Barrett moved to approve Resolution #90-126 enrolling 19 descendant applicants; Hilton Melot seconded. Passed 5-0.

Francis Levier moved to approve Resolution #90-127 enrolling 22 descendant applicants; Linda Capps seconded. Passed 5-0.

Bob Davis moved to approve Resolution #90-128 enrolling 20 descendant applicants; Francis Levier seconded. Passed 5-0.

Hilton Melot moved to approve Resolution #90-129 enrolling 28 descendant applicants; Francis Levier seconded. Passed 5-0.

Francis Levier moved to approve Resolution #90-130 enrolling 12 tribal members eligible for enrollment under previous blood quantum guidelines; John Barrett seconded. Passed 5-0.

John Barrett moved to appropriate \$40,000.00 from the Tax Commission to purchase two new Tribal Police vehicles; Bob Davis seconded. Passed 4-1.

Bob Davis moved to approve the newly amended Personnel Policy submitted by the Tribal attorneys; Hilton Melot seconded. Passed 4-1.

Meeting adjourned at 10:20 p.m.

Anthony Hope to chair Gaming Commission

WASHINGTON — Anthony Hope, an attorney and the son of entertainer Bob Hope, has been confirmed as chairman of the federal Indian Gaming Commission, despite concerns over his lack of experience in Indian issues and gaming.

Hope, 49, will preside over the three-member panel. The other two members must be American Indian, as stipulated in the law that created the commission 18 months ago. The

panel will inspect gambling premises, do background checks on employees, enforce ordinances and levy fines.

Hope said he grew up in the West and was familiar with conditions on reservations. "Although I am not Indian, my personal and professional background make me empathetic to the condition of the Indian and capable of managing a small regulatory agency," he said.



A Potawatomi welcome to these new members

Allison, Lisa Lee
Allison, Susan Babette
Arrasmith, Brandon Scott
Arrasmith, Bryce Douglas
Black, Rebecca Lyndell
Boyd, Jr., Johnny Marvin
Braugh, Jr., Roger Sherman
Brown, Lisa Jo Pershall
Buckles, Dana Lea
Buckles, Jerry Dale
Cheatwood, Jr., Dwight
Edward
Cheatwood, Steven Frederick
Cribbs, Brent Allen
Curry, Joseph Cook

Ernst, Kristina Michelle
Fitzjarrell, Jacob Tyler
Francis, Joel Blake
Gaut, Gregory Bateman
Gayer, Brian Eugene
Gayer, Krystal Renea
Gifford, Nicole Kaffee
Goldsmith III, Clifford
Sidney
Guthrie, Daylan DeldeRai
Hamilton, Arlesa Jeannette
Hamilton, Murray Owen
Hedrick, Cory Mack
Hensley, Christopher
Michael

Hensley, Kevin Scott
Hsmilton, George Lawrence
Jenkins, Elizabeth Ann
Jenkins, Glen Eric
Kaster, April Heather
Kaster, Mary Rose
Keesee, Kelly Ray
Keesee, Sarah Renae
Kindhart, Lindsey Brooke
Lewis, Dana Gayle
Lucas, Benjamin Joseph
Lucas, Matthew William
Lucas, Timothy Samuel
Magruder, Jennifer Lea
Mahaffey, Brandy Leigh
Matlock, Bryan Joseph

Mayo, Jennifer Nichole
McCleary, Dana Anne Perez
McNeill, Casey Megan
McNeill, Cody Michael
Melott, Anthony Joe
Melott, Victor Craig
Mitchell, Hannah Marie
Niblett, Scott Wayne
Ogee, Leslee Sheryl
Paulson, Mikalyn Lucretia
Perez, Antoinette Jolyn
Perez, David Anthony
Rollings, Jackie Lynn Rice
Rollings, Sable Mae
Sarratt, Brittany Nichole
Sarratt, Neil Franklin

Sarratt, Seth David Aaron
Smithson, Jr., Jackie Ray
Smithson, Tammy Sue
Stark, Danielle Nicole
Swink, Angel De Shannana
Treat, Allison Brooke
Treat, Stacey Len
Trousdale, William Spencer
Upton, David DeWayne
Ward, Aaron Lee
Ward, Tracy Leigh Anne
Ward, Tyler Wayne
Williams, Kimberly Dawn
Holloway
Williams, Megan Leann
Woolsey, Callie Marie

Treaties — continued from previous page

Jno. P. Hedges \$200, for goods heretofore delivered to the Indians.

Joseph Allen \$145, for horses stolen from him by the Indians while he was surveying.

Jean B. Bourre \$700, for goods furnished the Indians, a part of them in relation to this treaty.

Thomas Forsyth \$200, for goods heretofore sold to the Indians.

S. Hanna & Co. \$100, for goods heretofore sold to the Indians.

Gabriel Godfroy, jr., \$500, for goods heretofore sold to the Indians.

Timothy S. Smith \$100, for goods

heretofore sold to the Indians.

W. G. and G. W. Ewings \$200, for goods heretofore sold to the Indians.

Joseph Bertrand \$2,000, for goods heretofore sold to the Indians.

To Eleanor Kinzie and her four children, by the late John Kinzie, \$3,500, in consideration of the attachment of the Indians to her deceased husband, who was long an Indian trader, and who lost a large sum in the trade by the credits given to them, and also by the destruction of his property. The money is in lieu of a tract of land which the Indians gave the late John

Kinzie long since, and upon which he lived.

Robert A. Forsyth \$1,250, in consideration of the debts due from the Indians to his late father, Robert A. Forsyth, who was long a trader among them, and who was assisted by his son, the present R. A. Forsyth. The money is in lieu of a tract of land which the Indians gave to the late R. A. Forsyth, since renewed to the present R. A. Forsyth, upon which both of them heretofore lived.

Jean B. Comparet \$500, for goods heretofore sold to the Indians.

C. and D. Dousseau \$100, for goods heretofore sold to the Indians.

P.F. Navarre \$100, for goods heretofore sold to the Indians.

Francis Paget \$100, for goods heretofore sold to the Indians.

G. O. Hubbard \$200, for goods heretofore sold to the Indians.

Alexis Coquillard \$200, for goods heretofore sold to the Indians.

Amounting, in the whole, to the sum of ten thousand eight hundred and ninety-five dollars.

LEW. CASS,
PIERRE MENARD.

HOW-NI-KAN

PEOPLE OF THE FIRE

The HowNiKan is published by the Citizen Band Potawatomi Tribe with offices at 1901 Gordon Cooper Drive, Shawnee, Oklahoma 74801.

The HowNiKan is mailed free to enrolled tribal members. Subscriptions to non-members are available for \$10 annually in the United States and \$12 for foreign countries.

The HowNiKan is a member of the Native American Press Association. Reprint permission is granted with publication credit to the HowNiKan and the Citizen Band Potawatomi Tribe.

All letters and submissions become the property of the HowNiKan. Editorials and letters are limited to 500 words and must contain a traceable address.

All correspondence should be directed to HowNiKan, 1901 Gordon Cooper Drive, Shawnee, Ok. 74801. Address changes should be sent to Potawatomi Tribal Rolls, 1901 Gordon Cooper Drive, Shawnee, Ok. 74801.

Citizen Band Potawatomi Business Committee
Chairman - John A. "Rocky" Barrett Jr.
Vice Chairman - Linda Capps
Sec./Treasurer - Bob F... Davis
Committeeman - Dr. Francis Levier
Committeeman - Hilton Melot

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Tribal officials urge members to vote on propositions

Continued From Page 1
pervisor of that area.

A total of \$75,900 would be allocated for a new parking lot, road and bridge repair, electrical service and other improvements at the pow wow grounds, camping area and other parts of the complex. Another \$35,201 would

be used to convert the space previously used by the elderly programs into a restaurant facility to serve the golf course.

The third proposition simply asks if tribal members favor creating tribal offices in cities where regional council are held if there are sufficient volun-

teers to man the offices. This idea has been favorably received at regional council meetings, and Chairman John Barrett has said that the offices would be the first step toward expanding tribal government. If successful, the offices could eventually be manned by an appointed administrator, and

eventually regional representatives might be elected. In the first phase, the offices would have telephone and copy equipment, with access to tribal rolls.

The polls will be open from 7 a.m. to 2 p.m. at tribal headquarters. All tribal members 18 years of age or older are eligible to vote.

Senators debate death penalty in Indian country

WASHINGTON — U.S. Senators debating the Omnibus Crime, Habeas Corpus and Death Penalty legislation will be asked to approve an "Indian country" amendment proposed by Daniel K. Inouye.

Inouye's amendment would exempt Indian reservations from a death penalty for first-degree murder unless a tribe votes within one year of enactment to have the death penalty apply on its reservation. Inouye chairs the Senate Select Committee on Indian Affairs.

The omnibus crime bill would resurrect a federal death penalty for federal crimes, including first degree murder.

During hearings on the legislation, witnesses told the Senate Judiciary Committee that one-half to two thirds of all persons convicted of first degree murder in the federal system are American Indians; Indians comprise less than one percent of the nation's population.

Indian murder cases are almost always alcohol-related, according to a report by Tova Indritz, a federal public defender. "Indian murder cases generally involve family members or acquaintances where both the person charged and the person who died were very intoxicated."

Inouye's amendment would exempt Indian reservations from a death penalty for first-degree murder unless a tribe votes within one year of enactment to have the death penalty apply on its reservation.

Indritz points to a letter from Chief Judge Richard Bilby of the federal court in Arizona to the U.S. Sentencing Commission, which said, "These are not assaults or murders involving drug transactions, but are in fact domestic and alcoholic in nature."

With the Inouye amendment, the omnibus crime bill would subject American Indians to the death penalty in states where it would not be applied to other citizens, such as North Dakota, which has no state death penalty.

Sen. John McCain (R-Ariz), also a member of the Senate Select Committee on Indian Affairs, considered an amendment of his own in which the death penalty would apply in Indian country, but would give tribes one year to "opt out" of the death penalty if they wished.

McCain was no expected to introduce a separate amendment, but reportedly has said he would not support the Inouye amendment.

The American Bar Association has gone on record as supporting the Indian Country Amendment. In a letter to Joseph Biden, chairman of the Senate Judiciary Committee, the ABA said, "We are deeply concerned over the potential such legislation has for discriminatory and unequal treatment which would be imposed on those accused of capital offenses committed on Indian lands. We understand that American Indian Tribal governments have the same concerns."

"Because of the special federal

trust relationship over Indian lands, we believe the Congress should take cognizance of the unique problems created persons on such lands by this legislation," the letter said.

Faith Roessel, an attorney with the Native American Rights Fund in Washington, D.C., who supports the Inouye amendment, said it is imperative for tribes and individuals to let their U.S. senators know, soon, how crucial this issue is to American Indians and Alaska Natives.

As of this date, just 14 tribes and intertribal organizations have adopted resolutions opposing a federal death penalty in Indian country for first-degree murder.

Many activities scheduled

Continued From Page 1
Golf Tournament begins with a four-person scramble at 10 a.m. Friday and continues Saturday and Sunday. A \$45 entry fee includes green fees, a meal and prizes. Entrants must show a tribal enrollment card (any tribe) or certificate of Indian blood degree. The horseshoe tournament will begin with registration at 7 a.m. Saturday.

The bingo hall will offer a special for card-carrying tribal members.

They will receive \$2 off any pack during the weekend. The offer is good for tribal members only.

Special offers will also be featured at the tribal convenience store and at the Tribal Museum and Trading Post, which has stocked up on favorite items including Pendleton blankets and jewelry. The museum and trading post will be open from 7 a.m. to 5 p.m. Saturday and Sunday during Potawatomi Days.